UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/891,301	07/10/97	HARRENSTIEN K	224/183

022249
LYON & LYON LLP
SUITE 4700
633 WEST FIFTH STREET
LOS ANGELES CA 90071-2066

WM02/1207

EXAMINER	
TRAN, P	
ART UNIT	**PAPER NUMBER**
2684	11

DATE MAILED: 12/07/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 08/891,301	Applicant(s) Harrenstien et al.
	Examiner Pablo Tran	Group Art Unit 2684

☒ Responsive to communication(s) filed on *Sep 25, 2000*.

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire *3* month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) *1-25* is/are pending in the application.

Of the above, claim(s) *9 and 13-15* is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) *1-8, 10-12, and 16-25* is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐approved ☐disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-8, 10-12, and 16-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Verkler et al.* (US patent 5,850,517) in view of *Eggleston et al.* (5,958,006).

As per claims 1, 7, 10, 16, and 24-25, *Verkler et al.* further disclose a method and apparatus for transmitting information from a server to a client station in a mobile-based client-server system, comprising the steps of:

- evaluating a received message to determine whether the server has a selected type and quantity of information waiting for the client station, the received message being prepared by the server without the client station first initiating a connection with the server (col. 4/ln. 1-38, col. 6/ln. 64-col. 7/ln.9, col. 9/ln. 24-col. 10/ln. 13);

- generating a signal containing a telephonic address of a communication transceiver associated with the server and instructions for establishing a log-on connection with the server

if the server has a selected type and quantity of information waiting for the client station (col. 4/ln. 1-26, col. 8/ln. 7-16, 59-62, col. 9/ln. 1-22, and col. 10/ln. 24-29); and

- transmitting the signal to a transceiver associated with the client station, the client station transceiver configured to establish a communication link with the server transceiver based on the telephonic address (col. 4/ln. 1-26, col. 8/ln. 7-16, 59-62, col. 9/ln. 1-22, and col. 10/ln. 24-29).

Verkler et al. disclose Applicant's invention except teaching evaluating the message at the server to determine the message is of a selected quantity of information. *Eggleston et al.* disclose evaluating the message at the server to determine the message is of a selected quantity of information (abstract, fig. 3-10, col. 7/ln 57-col. 8/ln. 55, col. 9/ln. 60-col. 10/ln.32). In order to optimize the types and quantity of information being transferred, it would have obvious to one of ordinary skill in the art at the time of Applicant's invention to provide a method for communicating summarized data as taught by *Eggleston et al.* in conjunction with a communication link for client-server as taught by *Verkler et al.*.

Verkler et al. discloses Applicant's invention except teaching transceiver associated with the server and client station. However, it is inherent that both the server and client station comprises transceivers in order to provide wireless communication path. It is inherent to one of ordinary skill in the art at the time of Applicant's invention to incorporate transceivers, inherently to provide mobile link, in conjunction with a communication link for client-server system as taught by *Verkler et al.*.

As per claim 2, *Verkler et al.* further disclose establishing a connection between the client station and the server in response to a received message (col. 5/ln. 31-39)

As per claim 3, *Verkler et al.* further disclose wherein the connection between the client station and server in established via the respective client station and the server transceivers (fig. 2, col. 3/ln. 56-67, col. 5/ln. 6-col. 6/ln. 15, col. 9/ln. 1-22, and col. 10/ln. 24-29).

As per claims 4-6, 11-12, and 20, *Verkler et al.* further disclose comprising the further steps of:

- evaluating a received message at the client station to determine whether the information is of a selected type (col. 4/ln. 12-38, col. 6/ln. 66-col. 7/ln. 2, col. 9/ln. 24-col. 10/ln. 13); and

- establishing a connection between the client station and the server in response to a received message if the information is of a selected type (col. 4/ln. 12-38, col. 6/ln. 66-col. 7/ln. 2, col. 9/ln. 24-col. 10/ln. 13).

As per claim 8 and 21, *Verkler et al.* disclosed Applicant's invention except for teaching wherein the server transceiver sends the message to the client station transceiver in the form of an SMS paging message. It would have been useful to provide an SMS paging message to provide automatic answer transmission. However, such is notoriously well-known in the art the Examiner takes official notice of such. Therefore, it would have ben obvious to one of ordinary skill in the art at the time of Applicant's invention to utilize the method of SMS paging message, well-known in the art, in conjunction with a communication link for client-server system as taught by *Verkler et al.*.

As per claim 17, *Verkler et al.* further disclose the stored program causing the client station to perform the additional steps of:

- transmitting a first request for the information to the server via the established communication link (fig. 3, col. 4/ln. 12-55, col. 6/ln. 50-col. 7/ln. 48);

- receiving the requested information (fig. 3, col. 4/ln. 12-55, col. 6/ln. 50-col. 7/ln. 48); and

- transmitting additional information to the server via the established communication link (fig. 3, col. 4/ln. 12-55, col. 6/ln. 50-col. 7/ln. 48).

As per claim 18, *Verkler et al.* further disclose wherein the additional information comprises a further data request (fig. 3, col. 4/ln. 12-55, col. 6/ln. 50-col. 7/ln. 48).

As per claim 19, *Verkler et al.* further disclose a mobile-based client-server system, comprising:

- a client station adapted for communication with an associated client station transceiver (col. 4/ln. 12-55); and

- a server configured to periodically receive or generate information to be delivered to the client station, the server linked to an associated server transceiver (col. 4/ln. 12-55), wherein

- the server is further configured to transmit a message to the client station via the respective server and client station transceivers upon receiving or generating a selected type of information to be delivered to the client station without the client station first initiating a connection with the server (col. 4/ln. 1-38, col. 6/ln. 64-col. 7/ln.9, col. 9/ln. 24-col. 10/ln. 13);

Verkler et al. disclose Applicant's invention except teaching evaluating the message at the server to determine the message is of a selected quantity of information. *Eggleston et al.* disclose evaluating the message at the server to determine the message is of a selected quantity of information (abstract, fig. 3-10, col. 7/ln 57-col. 8/ln. 55, col. 9/ln. 60-col. 10/ln.32). In order to optimize the types and quantity of information being transferred, it would have obvious to one of ordinary skill in the art at the time of Applicant's invention to provide a method for communicating summarized data as taught by *Eggleston et al.* in conjunction with a communication link for client-server as taught by *Verkler et al.*.

As per claims 22-23, *Verkler et al.* further disclose whether the information is of a type requiring that the client station be notified (fig. 3, col. 4/ln. 12-55, col. 6/ln. 50-col. 7/ln. 48, col. 9/ln. 60-col. 10/ln.32).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Tett (5,635,918), Harrison et al. (5,796,727), Vazana (5,850,519), Eggleston et al. (5,958,006), Dillon (6,067,561), Smith (5,835,724), Doviak et al. (5,717,737), Hidary (5,852,775), Davis (5,392,452), and Gilchrist et al. (5,745,695) discloses method and apparatus for controlling message delivery to wireless system.

4. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Pablo Tran whose telephone number is (703)308-7941. The fax number for this Group is (703)308-6306 and (703)308-6296.

Any inquiry of a general nature to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703)305-3900.

December 2, 2000

Pablo Tran

Examiner, Art Unit 2684

DANIEL HUNTER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600